IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

Bail Appl..No. 7557 of 2007()

CRIME NO. 51/07 OF NILESHWAR EXCISE RANGE
CMP.3389/2007 of J.M.F.C.-II,HOSDRUG

.....

PETITIONER/ACCUSED

T.N.KUTTAPPAN, S/O.T.N.NANU,
AGED 54 YEARS, KAMBALLUR, CHITTARIKKAL VILLAGE,
HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENTS: COMPLAINANT

EXCISE INSPECTOR, EXCISE RANGE,
NILESHWAR IN CR.NO.51/07 REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

- -

B.A.No. 7557 of 2007

- -

Dated this the 7th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 10 litres of arrack on 9/11/2007. He was arrested and continues in custody from that date. The petitioner has four other crimes, all under the Abkari Act also registered against him, submits the learned Prosecutor.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given some further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 21.12.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 for a period of three months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

tm